Single FOR

## FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing in which the Petitioners request approval of the monconforming use of the subject property as a contractors! equipment storage yard for a septic systems service, and to amend the previously approved site plan in Case No. 82-8-XA accordingly, as more particularly described on the plan submitted and marked Petitioner's Exhibit 1.

The Potitioners, Joseph W. and Brenda L. Blevins, appeared, testified and were represented by Howard L. Alderman, Jr., Esquire. Numerous neighbors and residents of the area appeared in support of the Petition. Appearing as Protestants in the matter were Daniela Thompson, a nearby property owner, and Frank DiMeglio, Zoning Inspector for Baltimore County.

Testimony indicated that the subject property, known as 2618 Beckleysville koad, consists of 1.031 acres, more or less, zoned R.C. 4, and is improved with a residential trailer home, two wood sheds, one of which is two stories tall, a metal storage garage, and a storage area as more particularly described on Petitioner's Exhibit 1. Said property was the subject matter of previous Case No. 82-8-XA in which the Petitioners were granted a special exception and variances for the existing residential trailer. Petitioners tiled the instant Petition as a result of a complaint

Joseph Blevins testified that his wife's parents originally owned a 38-acre tract of land and that he and his wife obtained the subject 1.031 acre parcel from his wife's father in 1973. Mr. Blevins testified that he operates a septic system business from the subject site and that the following contractors' equipment is stored on the property: Two "tractors and trailers", 80,000 pounds gross vehicle weight each; two backhoes; two equipment trailers; one bobcat loader and trailer; one dump truck, 35,000 pounds gross vehicle weight; two sewage pump trucks, 55,000 gallons each; one hydro seeder; and one cube van of 10,000 pounds gross vehicle weight. Mr. Blevins testified that he is currently able to operate the business with this equipment and has no intention of expanding his business on the subject property. Mr. Blevins testified that his business is in great demand in this rural area of Baltimore County, given the fact that most, if not all, of the residents have private septic systems on their property. He further testified that in the event this nonconforming use is granted, he would agree to limit his operation to the equipment listed herein and would add no other pieces of equipment. In support of their request, the Petitioners submitted various photographs of the subject property, depicting the contractors' equipment currently being stored on the site and also showing a large hedgerow which provides screening for

Karl Fuller was called to testify on behalf of the Petitioners.  $\mathfrak{P}^{\mathfrak{I}}$  Mr. Fuller testified that he is 67 years of age and is a retired. Baltimore County Police Officer. He testified that during his career as an officer, he patrolled this area and became very familiar with the subject property.

filed with this office to establish the legal nonconforming use of their property as a contractors' equipment storage yard.

It was Mr. Fuller's recollection that from as far back as 1941 there was always farm equipment, tractors, large hay and wheat trucks stored on this property and that this storage has continued through to the present time.

Herb Billet was next to testify on behalf of the Petitioners. Mr. Billet testified that he is 70 years of age and is very familiar with the Blevins' property. He testified that ever since the early 1930s, there has been large trucks and farm equipment, bulldozers, and dump trucks stored on the subject property. He also testified that he never saw any of the bulldozers leave the property and that the site was never vacant for more than one year.

Edgar Neal next appeared and testified on behalf of the Petition. Mr. Neal testified that he is 75 years of age and has been a resident of the area for the past 73 years. He testified that he is very familiar with the subject property and that he always saw farm equipment stored on this site.

Christine Blevins, mother of Petitioner Joseph Blevins, appeared and testified in support of the Petition. She testified that to the best of her recollection there has always been dump trucks, tractor trailers, and other similar contractors' equipment stored on this particular parcel of land since prior to 1945. Although she could not specifically remember equipment being repaired on the site, she testified that equipment was stored on the property.

Marshall Pugh appeared and testified on behalf of the Petition. Mr. Pugh, who is 60 years of age, testified that he passed this property every day beginning in 1953 and that from that date forward, he always saw dump trucks, tractors and farm equipment stored on the subject property

Mr. Pugh testified that the property was never vacant of any of this equipment for more than a one year period of time.

John Herbert appeared and testified on behalf of the Petition. Mr. Herbert testified that he is 66 years of age and is very familiar with the subject property. Mr. Herbert testified that he travelled along Beckleysville Road all of his life and never saw the property vacant. His testimony indicated that the property always had some type of contractors' equipment stored thereon. Mr. Herbert testified that he saw hay rakes, farm equipment, dump trucks and tractor trailers stored on the property.

Jerry Blevins, younger brother of Petitioner Joseph Blevins, testified that he used to transport his brother to the tractor trailers stored on the subject property back in the late 1960s. He testified that there has always been equipment stored on the subject property.

Bill Mock, who resides immediately adjacent to the subject properly, appeared and testified on behalf of the Petition. Mr. Mock testified that the subject property is not overburdened by the Petitioners' business and that it is difficult to tell that a septic service is even located on this site.

Jack Twist appeared and testified on behalf of the Petitioners. Mr. Twist testified that he is the president of the Freeland Community Association and that his Association met twice on this particular issue Mr. Twist testified that the Association offers its overwhelming support of the Petitioners' request in this Petition.

Brenda Blevins appeared and testified in support of the Petition. Ms. Blevins testified that she has lived in this area all of her life and confirmed that this particular parcel of land originally belonged to her parents. She testified that from the late 1950s, early 1960s, until the

10

ORDER Date By

present time, there have always been large trucks, bulldozers, front-end loaders and tractor trailers stored on this property. On cross-examination Ms. Blevins testified that trucks were repaired on this property and that some of the contractor's equipment was used offsite in the construction of

In addition to the live testimony presented by the Petitioners and their witnesses, the Petitioners offered into evidence 22 notarized affidavits from various members of the community stating that this particular parcel of property has been used as a contractors' equipment storage yard since prior to the year 1945. Said affidavits are marked Petitioner's Exhibit 7.

Appearing and testifying in opposition to the relief requested was Frank DiMeglio. Mr. DiMeglio was subpoenaed as a witness for the Protestant in this matter, Daniela Thompson. Mr. DiMeglio is a Zoning Inspector with the Office of Zoning Administration and Development Management. Mr. DiMeglio testified that during an inspection of the property on March 8, 1991, he observed a tanker truck on the property with a septic system name written on the side. He also saw a smaller tank truck on the property. Mr. DiMeglio testified that he had a conversation with Joseph Blevins on that date during which he asked Mr. Blevins about his use of the property. Mr. DiMeglio testified that Mr. Blevins stated that the septic business had been on the property for 20 years and that prior to that, the property was only used as a farm.

Mr. Blevins testified that he misunderstood Mr. DiMeglio's question concerning the use of the property prior to the operation of the septic business, and further clarified his answer by testifying that the property has always been used as a contractor's equipment storage yard.

Daniela Thompson appeared and testified in opposition to the relief requested. Ms. Thompson testified that she owns property in the area and is concerned about this commercial operation being located in this rural community. She also testified that she is concerned about future expansion and intensification of such use. Ms. Thompson testified that there appeared to have been some intensification of this use during the course of the four years she has been a property owner in this community.

As with all nonconforming use cases, the first task is to determine what lawful nonconforming use existed on the subject property prior to January 2, 1945, the effective date of the adoption of the Zoning Regulations and the controlling date for the beginning of zoning.

The second principle to be applied, as specified in Section 104.1, is whether or not there has been a change in the use of the subject property. A determination must be made as to whether or not the change is a different use, and therefore, breaks the continued nature of the nonconforming use. If the change in use is found to be different than the original use, the current use of the property shall not be considered nonconforming. See McKenny v. Baltimore County, Md., 39 Md. App. 257, 385 A2d. 96 (1978).

When the claimed monconforming use has changed, or expanded, then the Zoning Commissioner must determine whether or not the current use represents a permissible intensification of the original use or an actual change from the prior legal use. In order to decide whether or not the current activity is within the scope of the nonconforming use, the Zoning Commissioner should consider the following factors:

> "(a) To what extent does the current use of these lots reflect the nature and purpose of the original nonconforming use;

> > - 6-

ORDER Date By

(b) Is the current use merely a different manner of utilizing the original nonconforming use or does it constitute a use different in character, nature, and kind;

(c) Does the current use have a substantially different effect upon the neighborhood;

(d) Is the current use a "drastic enlargement or extension" of the original nonconforming use."

McKemy v. Baltimore County, Md., Supra.

After due consideration of the testimony and evidence presented, it appears that the relief requested should be granted. The testimony and evidence presented in support of this request was overwhelming and was uncontradicted by the Protestants, who were unable to offer any evidence concerning the historical use of the subject property. The Petitioners were able to produce many witnesses and notarized affidavits to demonstrate that the use of the property as a contractors' equipment storage yard existed for many years prior to the effective date of the zoning regulations. Therefore, I am persuaded that the Petitioners have met their burden of proof.

However, I am only persuaded that this nonconforming use existed in the Petitioners' rear yard, behind the existing trailer home. I do not believe that the Petitioners have stored equipment in the front yard of the subject site along Beckleysville Road. Therefore, the granting of this nonconforming use shall be limited to that area behind the existing trailer home, more specifically, beginning from a lateral line drawn from the front foundation wall of said trailer home, said line bisecting the entire width of the lot, and encompassing all that lot and parcel of gound  $oldsymbol{>}$  situated to the north of said line. Said area has been outlined in red ink and red hash marks by this Deputy Zoning Commissioner on Petitioner's Exhibit 1, in order to accurately depict the area which shall be granted

- 7-

this nonconforming use. I also find, pursuant to the Petitioners' submission, that the storage of contractors equipment shall be limited to those items currently stored on the subject site as previously listed herein. Accordingly, the relief granted herein will be limited to the existing equipment, or its replacement with like or similar equipment, and there shall be no further expansion or intensification of the use.

In addition, I find that the granting of the relief requested herein shall inure to the use and benefit of the Petitioners and their lineal heirs only, and shall not be sold, transferred or leased to any third party. The Petitioners shall be permitted to operate the contractors' equipment storage yard only for so long as either party owns the subject property, or said property is transferred or conveyed to their lineal heirs.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the Petition for Special Hearing should be granted, subject to the restrictions set forth hereinafter.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Raltimore County this day of May, 1992 that the Petition for Special Hearing to approve the nonconforming use of the subject property as a contractors' equipment storage yard for a septic systems service business, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subjest to the following restrictions:

> 1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

> 2) The relief granted herein is limited to the Petitioners and their lineal heirs. In the event the

> > - 8-

homes and barns.

- 5-

subject property is sold, leased or transferred to someone other than the Petitioners' lineal heirs, then the use of the subject property as a contractors' equipment storage yard shall cease.

3) The relief granted herein is limited to that area of the Petitioners' property beginning in a northerly direction from the front foundation wall of the existing trailer home to the rear property line of the subject property, as more particularly marked in red on Petitioner's Exhibit 1, a copy of which is attached hereto and made a part hereof.

4) The relief granted herein is limited to the equipment currently stored on the subject property as follows: Two "tractors and trailers" at 80,000 pounds gross vehicle weight each; two backhoes; two equipment trailers; one bobcat loader and trailer; one dump track at 35,000 pounds gross vehicle weight; two sewage pump trucks of 55,000 gallons each; one hydro seeder; and one cube van of 10,000 pounds gross vehicle weight. in the event the Petitioners deem it necessary to replace any of the above-named items, the Petitioners shall be permitted to do so with a like or similar piece of equipment. However, in no event shall there be any expansion or intensification of this contractors' equipment storage yard with items other than that listed herein.

b) within thirty (30) days of the date of this Order, Petitioners shall submit a landscape plan for approval by the Deputy Director of Planning and the Landscape Planner for Baltimore County. Said plan shall incorporate landscaping of the property to the rear and east sides of the storage garage as recommended by Planning.

6) Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order in the event it becomes necessary to do so as a result of a complaint.

7) When applying for any permits, the site plan and/ or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

8) The relief granted herein is contingent upon the Petitioners' compliance with the restrictions set forth above. Each restriction plays an integral part in the overall granting of the Petitioners' request and cannot be appealed separately. An appeal by the Petitioners of any restriction set forth above shall be an appeal of the entire Order and the entire case shall be heard

de novo by the County Board of Appeals. The Petitioners have thirty (30) days from the date of this Order to take an appeal of this Decision. In the event the Petitioners do not appeal this decision, then by virtue of no appeal being taken, the Petitioners hereby consent and agree to be bound by the restrictions stated

IT IS FURTHER ORDERED that the Petition for Special Hearing to amend the previously approved site plan in Case No. 82-8-XA, in accordance

with Petitioner's Exhibit 1, be and is hereby GRANTED.

Deputy Zoning Commissioner for Baltimore County

92-133-5PH CERTIFICATE OF POSTING ZONNIS DEPARTMENT OF BALTIMORE COUNTY

strict 6 th special Hear	12 71 4
stitioner: Joseph Williams	whe set up ille Road, 560' & of Spook hill Close
cettion of property 17/5 this skyar	ille Road, 540' & of spoots relision
- 5110 Buskland Helle	aa
In isent of	2018 Beckleyarila-Road
	J
emarks:	
	Date of return: March 27 1992

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CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of

THE JEFFERSONIAN,

5. Zete Orlan

\$ 84.29

Billimore County Concernment. Zoning Commit acuter Office of Planning and Zoning

May 7, 1992

Suite 113 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

Howard L. Alderman, Jr., Esquire Levin & Gann 305 W. Chesapeake Avenue Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING N/S Beckleysville Road, 560' S of Spook Hill Road (2618 Beckleysville Road) 6th Election District - 3rd Councilmanic District Joseph W. Blevins, et ux - Petitioners Case No. 92-133-SPH

Dear Mr. Alderman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

> TIMOTHY M. KOTROCO Deputy Zoning Commissioner for Baltimore County

CERTIFICATE OF PUBLICATION

published in TOWSON TIMES, a weekly newspaper published in

Towson, Baltimore County, Md., once in each of \_\_\_\_\_ successive

weeks, the first publication appearing on 10 10, 19

\$84.29

THIS IS TO CERTIFY, that the annexed advertisement was

5. Zete Orlan

Very truly yours,

cc: Ms. Daniela Thompson 5114 Pembroke Avenue, Baltimore, Md. 21206

People's Counsel

Case Number: 92-133-SPH N/S Beckleysville Fload 560' S of Spook Hill Fload 5618 Seckleysville Fload 6th Election District 3rd Councilmanic Belticase(a).

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Legal Owner(s): Contract Purchaser:

.\_\_\_\_\_

-----

(Type or Print Name)

Signature

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 92-133-5PH

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine when

ther or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve

Non-conforming use for a contractors equipment storage yard.

(Septic systems service), emend plan in Case #82-8xA.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Property is to be posted and advertised as prescribed by Zoning Regulations.

Brenda L. Blevins (Type or Print Name) City and State Attorney for Petitioner: 2618 Beckleysville Road S. Eric/PyNenna (Type of Print Name) Freeland, Maryland 21053 - f- Estill-f- hace City and State 409 Washington Ave., #600 Name, address and phone number of legal owner, con-

tract purchaser or representative to be contacted S. Eric DiNenna Towson, Maryland 21204 409 Washington Avenue, #600 Towson, Maryland 21204 296-6820 Attorney's Telephone No.: 296-6820

Joseph W. Blevins

(Type or Print Name)

Signature J

ORDERED By The Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day .\_\_, 19\_\_\_, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore

> Zoning Com ioner of Baltimore County.

Z.C.O.-No. 1

receipt

Baltimore Courte
Zoning Commisi
County Office Buildin
111 West Chesapeake A
Towson, Maryland 2120 Zoning Commisioner
County Office Building 111 West Chesapeake Avenue Towson, staryland 21204

92-133

794404 #U 112M16HRC 94 CO10116AMOF 05 9)
Please Make Checks Payable To: Baltimore County

Baltimore County Zoning Commissioner County Office Building 111 West Chesapeake Avenue

receipt

Account: R-001-6150

92-133

ोक्योपित प्रशास्त्री उत्तरीत् चन्त् Please Make Checks Payable To Battle ore County

8-19-91 J.O. 91-011

Engineers — Surveyors — Site Planners

Paul Lee Engineering Inc. 304 W. Pennsylvania Ava. Towson, Maryland 21208 301-821-5941

DESCRIPTION

Paul Los 9.6.

#2618 BECKLEYSVILLE ROAD

said point also being located southwesterly 560 feet + from the center of Spooks Hill Road; thence running in the rightof-way of said Beckleysville Road (1) S 69047'00"W- 150.00 feet, thenor leaving said right-of-way of Beckleysville Road (2) N 20°29'00" W - 296.91 feet, and (3) N 67°51'00" E- 150.06 feet, and (4) S 20°29'00" E - 301.97 feet to the point of beginning.

Containing 1.03 acres of land more or less.

CASE NUMBER: 92-133-SPH N/S Beckleysville Road, 560' S of Spook Hill Road 2618 Beckleysville Road 6th Election District - 3rd Councilmanic Petitioner(s): Joseph W. Blevins, et ux The state of the s

Dear Petitioner(s):

Please be advised that \$\_/cq.19 is due for advertising and posting of the above captioned

THIS FEE MUST BE PAID. ALSO, THE ZONING SIGN & POST SET(S) MUST BE RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland 21204. It should have your case number noted thereon and be made payable to Baltimore County, Maryland. In order to prevent delay of the issuance of proper credit and/or your Order, immediate attention to this matter is suggested.

ZONING COMMISSIONER BALTIMORE COUNTY, MARYLAND

S. Eric DiNenna, Esq.

111 West Chesapeake Avenue

Towson, MD 2120+

111 West Chesapeake Avenue Towson, MD 2120+

(410) 887-335

Baltimore County Government Office of Zoning Adminition

and Development Management

Office of Planning & Zoning

DATE March 27, 1992

JOSEPH AND BRENDA BLEVINS 2618 BECKLEYSVILLE ROAD FREELAND, MARYLAND 21053

Case Number: 92-133-SPH 2618 Beckleysville Road Petitioner(s): Blevins

Dear Petitioner(s):

Please be advised that \$ \_\_\_\_\_\_\_ is due for reposting of the above property. Kindly make your check payable to Baltimore County, Maryland and forward same to "ZADM, 111 W. Chesapeake Avenue, Room 111, Towson, Maryland, Attention: G. G. Stephens.

On the date of your hearing, you must return the sign(s) and post(s) to

Thank you for your anticipated cooperation.

ZADM.

Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning

111 West Chesapeake Avenue Towson, MD 21204

887-3353

MARCH 11, 1992

(410) 887-3353

NOTICE OF REASSIGNMENT

Baltimore County Government

Office of Zoning Administration

and Development Management

Office of Planning & Zoning

CASE NUMBER(S):

LEGAL OWNER

LOCATION:

92-133-SPH JOSEPH W. BLEVINS, ET UX 2618 BECKLEYSVILLE ROAD

HEARING OF THE ABOVE MATTER WILL TAKE PLACE AS FOLLOWS:

FRIDAY, APRIL 11 1992 at 11:30 a.m.

IN THE BALTIMORE COUNTY ROOM 106, COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204.

ZONING COMMISSIONER BALTIMORE COUNTY

cc: Joseph W. Blevins Howard L. Alderman, Esq.

November 18, 1991

S. Eric DiNenna, Esquire 409 Washington Avenue, Suite 600

> RE: Item No. 139, Case No. 92-133-SPH Petitioner: Joseph W. Blevins, et ux Petition for Special Hearing

Dear Mr. DiNenna:

Towson, MD 21204

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a review by Zoning personnel.

**Baltimore County Government** Office of Zoning Administration and Development Management Office of Planning & Zoning

111 West Chesapeake Avenue Towson, MD 21204

SEPTEMBER 26, 1991

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 118, Baltimore County Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 92-133-SPH N/S Beckleysville Road, 560' S of Spook Hill Road 2618 Beckleysville Road 6th Election District - 3rd Councilmanic Petitioner(s): Joseph W. Blevins, et ux HEARING: TUESDAY, NOVEMBER 19, 1991 at 9:00 a.m.

Special Hearing to approve non-conforming use for a contractors equipment storage yard (septic systems service); and to amend Case #82-2-XA.

Zoning Plans Advisory Committe Coments

'2) Anyone using this system should be fully aware that they

are responsible for the accuracy and completeness of any such

petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the peition has not been filed correctly, there is

always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or

petitions on a regular basis and fail to keep the appointment

without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made.

Failure to keep these appointments without proper advance notice,

i.e. 72 hours, will result in the loss of filing fee.

Attorneys and/or engineers who make appointments to file

Zoning Plans Advisory Committee

Date:November 18, 1991

imcompleteness.

Enclosures

cc: Mr. & Mrs. Jospeh W. Blevins

2618 Beckleysville Road

Freeland, MD 21053

cc: Joseph M. Blevins, et ux S. Eric DiNenna, Esq.

Zoning Commissioner of

Baltimore County

Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning

111 West Chesapeake Avenue Towson, MD 21204

887-3353

OCTOBER 4, 1991

NOTICE OF REASSIGNMENT

CASE NUMBER(S): 92-133-SPH PETITIONER: Joseph W. Blevins, et ux LOCATION: 2618 Beckleysville Road

THE ABOVE MATTER HAS BEEN REASSIGNED. HEARING WILL NOW TAKE PLACE AS

TUESDAY, NOVEMBER 26, 1991 at 9:00 a.m.

IN THE BALTIMORE COUNTY COURTHOUSE, 400 WASHINGTON AVENUE, ROOM 118, TOWSON, MARYLAND 21204.

ZONING COMMISSIONER BALTIMORE COUNTY

cc: Joseph W. Blevins, et ux S. Eric DiNenna, Esq.

> Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning

111 West Chesapeake Avenue Towson, MD 21204

Your petition has been received and accepted for filing this 16th day of October, 1991.

Petitioner: Joseph W. Blevin, et ux Petitioner's Attorney:S. Eric DiNenna

BUREAU OF TRAFFIC ENGINEERING DEPARTMENT OF PUBLIC WORKS BALTIMORE COUNTY, MARYLAND

DATE: October 18, 1991

Mr. Arnold Jablon, Director Office of Zoning Administration and Development Management

Rahee J. Famili

SUBJECT: Z.A.C. Comments

2.A.C. MEETING DATE: October 1, 1991

This office has no comments for item numbers 127, 129, 130, 131, 132, 133, 134, 135, 138, 139, 140 and 141.

Traffic Engineer II

RJF/lvd

Baltimore County Government Fire Department

700 East Joppa Road Suite 901 Towson, MD 21204 5500

(301) 887-4500

OCTOPER 1, 1991

Arnold Jablon Director Zoning Administration and Development Management Paltimore County Office Puilding Towson, MD 21204

RE: Property Owner: JOSEPH W. PLEVINS

Location:

#2618 BECKLEYSVILLE ROAD Item No.: 139 Zening Agenda: OCTOPPE 1, 1991

Centlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Pureau has no comments at this time.

REVIEWER: A Annual Color Poted and Approved Fire Prevention Eureau

JP/KEK

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: September 27, 1991 Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E.

Zoning Advisory Committee Meeting for October 1, 1991

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 127, 129, 130, 131, 132, 133, 135, 137, 138, 139, 140 and 141.

For Item 134, this subdivision is ekay, with a comments needed.

For Item 136, the comments are reserved until the County Review Group plan is submitted. However, sideward setback dimensions may change as a result of the County Review Group comments.

> ROBERT W. BOWLING, Party Chief Developers Engineer for Division

RWB:s

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

Arnold Jablon, Director DATE: November 12, 1991 Zoning Administration and Development Management

Pat Keller, Deputy Director Office of Planning and Zoning

SUBJECT: Blevins Property, Item No. 139

In reference to the applicant's request, staff offers the following comment:

The Office supports this request with the following condition. The petitioner should landscape the rear and east side of the storage garage should be heavily landscaped with a dense evergreen

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/rdn

ITEM139/TXTROZ

plant materials.

**Baltimore County Governmen** Office of Zoning Administration and Development Management Office of Planning & Zoning

111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

December 10,1991

George A. Breschi, Esquire Suite 600 409 Washington Avenue Towson, Maryland 21204

Re: Postponements

Dear Mr. Breschi.

The following cases were assigned to S. Eric DiNenna.

Case No. 91-411-SPH Petitioner: Leroy Ennis

Case No. 92-23-A Petitioner(s): Wayne Sagall, et ux

Case No. 92-133-SPH Petitioner: Blevins, et ux

Item No. 237 Petitioner: Thomas B. McGee

Please advise as of the direction in which you will be taking in these cases.

Yours Truly,

Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning

111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

October 16, 1992

Ms. Melissa Buis Law Office of Michael L. Freilich 408 Bosley Avenue Towson, MD 21204

> RE: Audio Cassette for Case No.: 92-133-SPH

Dear Ms. Buis:

In response to your recent request for a copy of the hearing transcript for case number 92-133-SPH, that tape is no longer available.

If you have any further questions, please do not hesitate to contact Jun Fernando at 887-3391.

> Very truly yours, TIMOTHY M. KOTROCO Deputy Zoning Commissioner

TMK/jaw

MICHAEL LEWIS FREILICH\* \*ADMITTED FLORIDA, MARYLAND & OHIO October 7, 1992

. . .

PLEASE ADDRESS ALL CORRESPONDENCE TO: PO BOX 5466 TOWSON, MARYLAND 21205-5463

Director of Zoning Office Arnold Jablon Room 109 111 W. Chesapeake Avenue Towson, Maryland 21204 Re: Blevins, Our File #1445

Case #92-133-SPH

Dear Mr. Jablon: This firm represents Mr. and Mrs. Blevins. I am writing to you to request copies of the tapes of their hearing, case #92-133-SPH. I understand that the charge is Twenty Dollars (\$20.00) per tape. I

Thank you for your time and attention. Please call me with any questions.

would appreciate your letting me know how many tapes are involved.

LAW OFFICES OF

MICHAEL L. FREILICH, P. A.

408 BOSLEY AVENUE TOWSON, MARYLAND 21204

(410) 321-0042

Sincerely yours, Welisse Bis Melissa Buis Legal Assistant

NO LONGER AVAILABLE (tape missing)





November 25, 1491

1477 E

Zening Comissioner Re: 92-133-SPH, Item 139 Baltimore County

Towson, MD 21204

To whom it may concern: Please be advised that on November 20, 1991, a duly constituted meeting of the Freeland Community Association was held at Prettyboy Elementary School, to discuss current zoning issues and other business. Forty members were in attendance, including Mr. Blevins who is the petitioner on the above-captioned item: to allow a non-conforming use at his property on Beckleysville Road. The Association is well acquainted with the purpose behind this petition, and also the site in question, as a number of our members live in close proximity to Mr. Blevins. A vote was taken as to the position our organization should take on this

matter. There was unanimous approval. Thank you for your consideration.

Horal 11, 12

Sincerely,

Frank Zack-Board Member

there beingering November's schooled hear death of Love di Norman Wir was bearinged as beauting the state of the

Note Paragraphic will be to be to be a

APR 14 1992

**ZONING OFFICE** 

Printed on Recycled Paper

LAW OFFICES Levin & Cann BALTIMORE OFFICE MERCANILLE BANK # 18551 BUILTING A FROM SECTION ASSOCIATIONS HOPKINS PLAJA 305 W CHESAPEAKE AVENUE TH HOOR TOWSON, MARYLAND 21204 RALLING REMARYLAND TOO 301-321-0600  $\chi_{1}(x_{1}) + \chi_{2}(x_{1}) = 4 (1/2) (0)$ 

March 2, 1992

TELECOPIER 301-296-2801

HAND DELIVERED

THE CHER WITE SOLES

HOWARD I ALDERMAN JR

Arnold Jablon, Director Office of Zoning Administration and Development Management 111 West Chesapeake Avenue Towson, Maryland 21204

RE: Request to Reschedule Hearing Joseph and Brenda Blevins, Petitioners Entry of Appearance Case No.: 92-133-SPH

Dear Mr. Jablon:

On behalf of my clients, Joseph W. and Brenda L. Blevins, please enter my appearance in the above-referenced matter. As the file should reflect, my clients were previously presented by the late S. Eric DiNenna, Esquire.

Mr. DiNenna filed previously, on November 25, 1991, a request that the originally scheduled hearing on the above-referenced matter, which was set for November 26, 1991, be rescheduled. I have now obtained from Mr. DiNenna's office the relevant files and I am respectfully requesting that the hearing on this matter be rescheduled promptly.

Please note that this hearing was requested in response to the issuance of a zoning citation for alleged violations. The trial on that matter is presently scheduled for April 8, 1992, and I will most likely be seeking a postponement to enable us to continue this administrative process.

Should you have any questions or need additional information in this matter please contact me. I will await your written notification of a hearing date in this matter.

FILES LEVIN (1893-1960)

CARROLL COUNTY OFFICE.

1132 LIBERTY ROAD

SYKESVILLE MD 21784

ZONING OFFICE

cc: Mr. and Mrs. Joseph Blevins

BALTIMORE OFFICE MERCANTILE BANK MURLINE BUILDING \* HOPKINS PLAZA OTHITICOR BALLIMORE MARYLAND TUDE

HOWARD L ALDERMAN JR

305 W 3 HESAPEAKE AVENUE TOWSON MARYLAND PEP04 kO[ 5:391-3700) 301 321 0600 THE COMER ROLLING SOCIETY THE COPIER SOL YOU ISOL

April 20, 1992

LAW OFFICES

Levin & Cann

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FILIS HARRIGGER FIGO

CARROLL COUNTY OFFICE

UEST LIBERTY ROAD

SYNESHILL MD 31284

HAND DELIVERED

Timothy Kotroco, Esquire Deputy Zoning Commissioner for Baltimore County 111 West Chesapeake Avenue Towson, Maryland 21204

RE: Joseph Blevins and Wife 2618 Beckleysville Road Case No. 92-133-SPH

Dear Mr. Kotroco:

During the hearing on the above-referenced Petition, held on Friday, April 10, 1992, my clients, Mr. and Mrs. Joseph Blevins, made a proffer of conditions that they desire to see in any order granting the relief requested under said Petition. Specifically, our clients agreed that the conditions as suggested by the Baltimore County Office of Planning and Zoning be incorporated. Additionally, our clients agreed that the non-conforming use, if approved, would be limited to the use as currently practiced on the site. It was specifically stated that any such condition regarding the use would not pertain to the replacement of vehicles presently stored on the site.

Our clients agreed to provide to you a comprehensive list of the vehicles and other contractor's equipment that is currently stored on the site. Below I have enumerated the types of equipment and vehicles and would ask that the same be incorporated as a limitation in any order granting the requested non-conforming use.

1. Two (2) "tractors and trailers", 80,000 pounds gross

vehicle weight each. Two (2) Backhoes

Two (2) Equipment trailers.

One (1) Bobcat loader and trailer.

One (1) Dump truck 35,000 pounds. Two (2) Sewage pump trucks, 55,000 gallons each.

One (1) Hydro seeder. One (1) Cube van weighing over 10,000 pounds gross

vehicle weight.

DINENNA AND BRESCHI すたもひ ATTORNEYS AT IAW

MERCANTILE-TOWSON BUILDING 409 WASHINGTON AVENUE TOWSON, MARYLAND 21204

SUITE 600

1000 14

(301) 296-6820 TELEFAX (301) 296-6884

October 2, 1991

Mr. Lawrence E. Schmidt Zoning Commissioner of Baltimore County County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

S. ERIC DINENNA, P.A.

GEORGE A. BRESCHI, P.A.

FRANCIS X. BORGERDING, JR. ;

ALSO MEMBER OF DISTRICT OF

RE: Case Number: 92-133-SPH Petitioner: Joseph W. Blevins, Date of Hearing: November 19,

1991 at 9:00 A.M.

Dear Mr. Commissioner:

I am in receipt of your notification of a hearing concerning the above-captioned matter set for November 19, 1991 at 9:00 A.M.

Please be advised that I am presently scheduled to be before the Circuit Court for Baltimore County at 9:30 A.M. on the matter of Haines v. Scarfield brought by your office and upon appeal from the District Court that same date and time.

Accordingly, I respectfully request that the above-captioned matter of Joseph W. Blevins be postponed to another date.

Please advise me as soon as possible concerning this request.

Very truly yours/ 1 leur ---S. ERIC DINENNA

cc: Mr. and Mrs. Joseph Blevins



## PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1A03.4B4 to permit a side yard setback of 25.5 feet instead of the required fifty feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

The residential trailer was set up and occupied by the undersigned on a lot which was over 25 acres for over a year prior to our purchase of our present 1 acre lot. We purchased our lot in 1973 form the owner Mr. Wipperman who set the boundries for our lot, which was carved out of the original 25 acres.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

	I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.	
Contract Purchaser:	Legal Owner(s):	MAP: 4
(Type or Print Name)	Joseph W. Blevins (Type or Print Name)	11567054 55572
Signature	signature	
Address	Brènda L. Blevins (Type or Print Name)	IINAL:
City and State	XNexclo 3. Decuses	BY.
Attorney for Petitioner:		
John Robert Bashaar (Type or Print Name)	2618 Becklesville Road 357-8568 Address Phone No.	
Signature Cash	Freeland, Maryland 21053 City and State	
502-Allegheny-AvenueAddress	Name, address and phone number of legal owner, con- tract purchaser or representative to be contacted	
Towson, Maryland 21204 City and State	Name	
Attorney's Telephone No.: 321-7835	Address Phone 1	No.
ORDERED By The Zoning Commissioner of of 22-22-1, 1981, that the	Baltimore County, this 5th subject matter of this petition be advertise	•

required by the Zoning Law of Baitimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore \_\_A.\_M.

DINENNA AND BRESCHI ATTORNEYS AT LAW

S. ERIC DINENNA, P.A. GEORGE A. BRESCHI, P.A.

FRANCIS X BORGERDING, JR. 2 LAUSO MEMBER OF DISTRICT OF

111 W. Chesapeake Avenue

Towson, Maryland 21204

SUTTE 600 MERCANTILE TOWSON BUILDING 409 WASHINGTON AVENUE TOWSON, MARYLAND 21204

(301) 296-6820 TELEFAX (301) 296-6884

Lawrence Schmidt Zoning Commissioner for Baltimore County

Arnold Jablon, Esquire lll West Chesapeake Avenue Towson, Maryland 21204

> RE: Item No. 139 Case No.: 92-133-SPH Petitioner: Blevins, et ux.

Gentlemen:

This will confirm my conversation with both of you wherein you have postponed the above-captioned matter set for Tuesday, November 26, 1991.

Please advise me of a new date regarding same.

November 25, 1991

cc: Mr. and Mrs. Joseph Blevins

**EKLO** R.C. 2 13 16 R.C.4 / Sed 

PROTESTANT(S) SIGN-IN SHEET

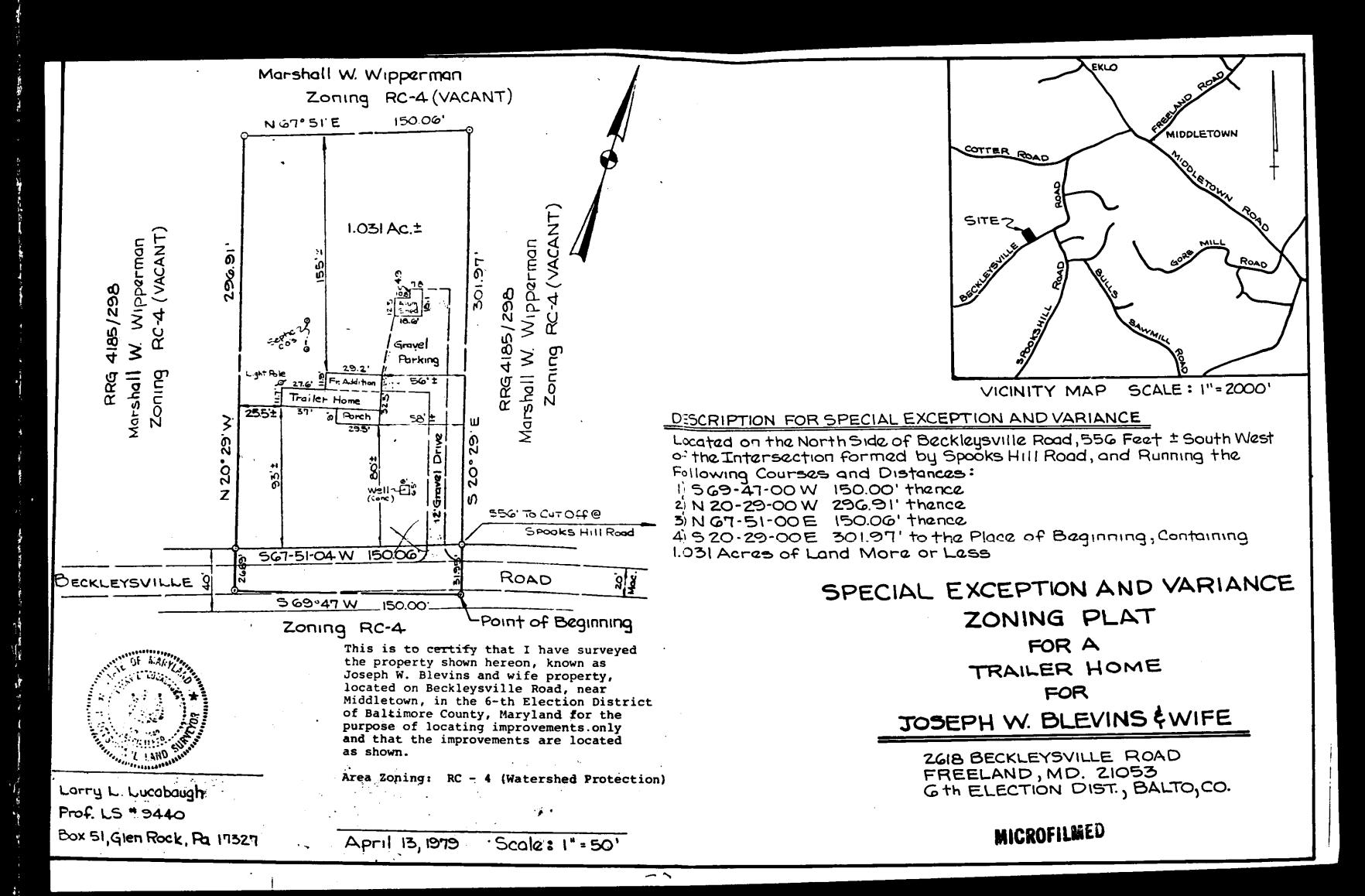
WILLIAM EINT

PLEASE PRINT CLEARLY

Travis Bairs DENTILL ED Socoland Mil 30449 ht Jimed Freeland Med. 1120 Bestler, Rd Freehand Md 21457 19513 BLEVINS 1120 Brotley Rd Fueland Md 21033-4513 BLEVING BONNIE 1727 FREEL AND PO. FREELAND, MO 21053 1727 Freeland Rd Freeland Md 21053 2800 Beckleys ville Rd M. Hts. Md 21107 Money F. Millough 7 WALNUT WASTEWARTS ENNN 21327 M. Bull Pd , Juland MD 21053 S1327 N. Ruhl Rd. Freeland, M. 21053 Albert & Wenty. 2576 BECKEUKUILE & TREE ON HIL 2105; 2526 Sec Klapville Td Free and Md 2105 How WENK Will Fel Failed. But Elley in senous Middletown Rd. FreelAndINd. 21053 Rolph Blevius

PETITION FOR SPECIAL EXCEPTION TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for \_a residential trailer . Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County. I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. W 34 E Legal Owner(s): Contract Purchaser Joseph W. Blevins (Type or Print Name) (Type or Print Name) Signature Brenda L. Blevins Vonexdas J. Blevins City and State 2618 Beckleysville Road 357-8568 Freeland, Maryland 21053 Name, address and phone number of legal owner, contract purchaser or representative to be contacted Enr. Maryland 21204 ORDERED By The Zoning Commissioner of Baltimore County, this \_\_\_\_\_\_5t May 19\_81, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the \_\_\_\_\_9th \_\_\_ day of \_\_\_\_July\_\_\_\_\_, 19\_81\_, at \_10:00 o'clock Zoning Commissioner of Baltimore County. Z.C.O.-No. 1

Thereador. 7/9/8/2.



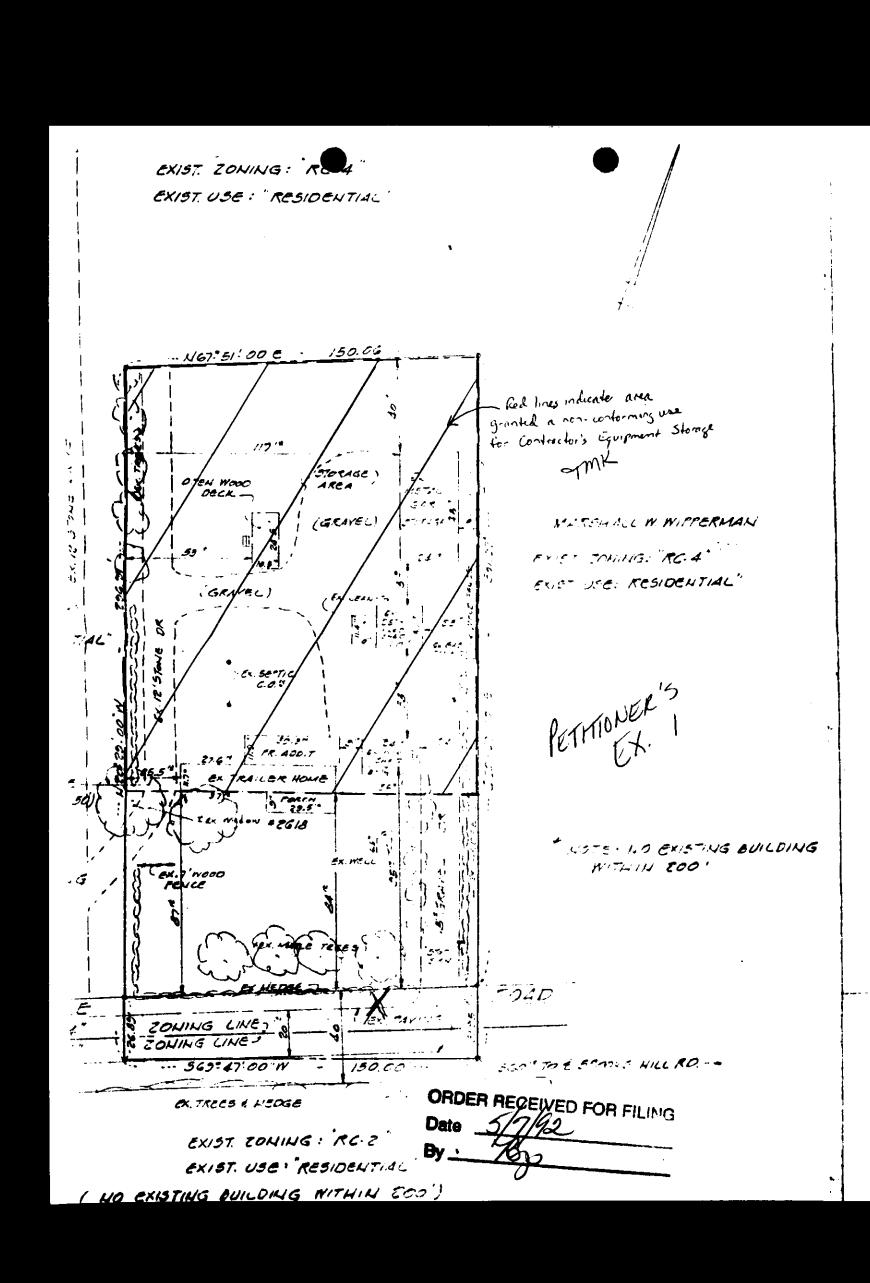


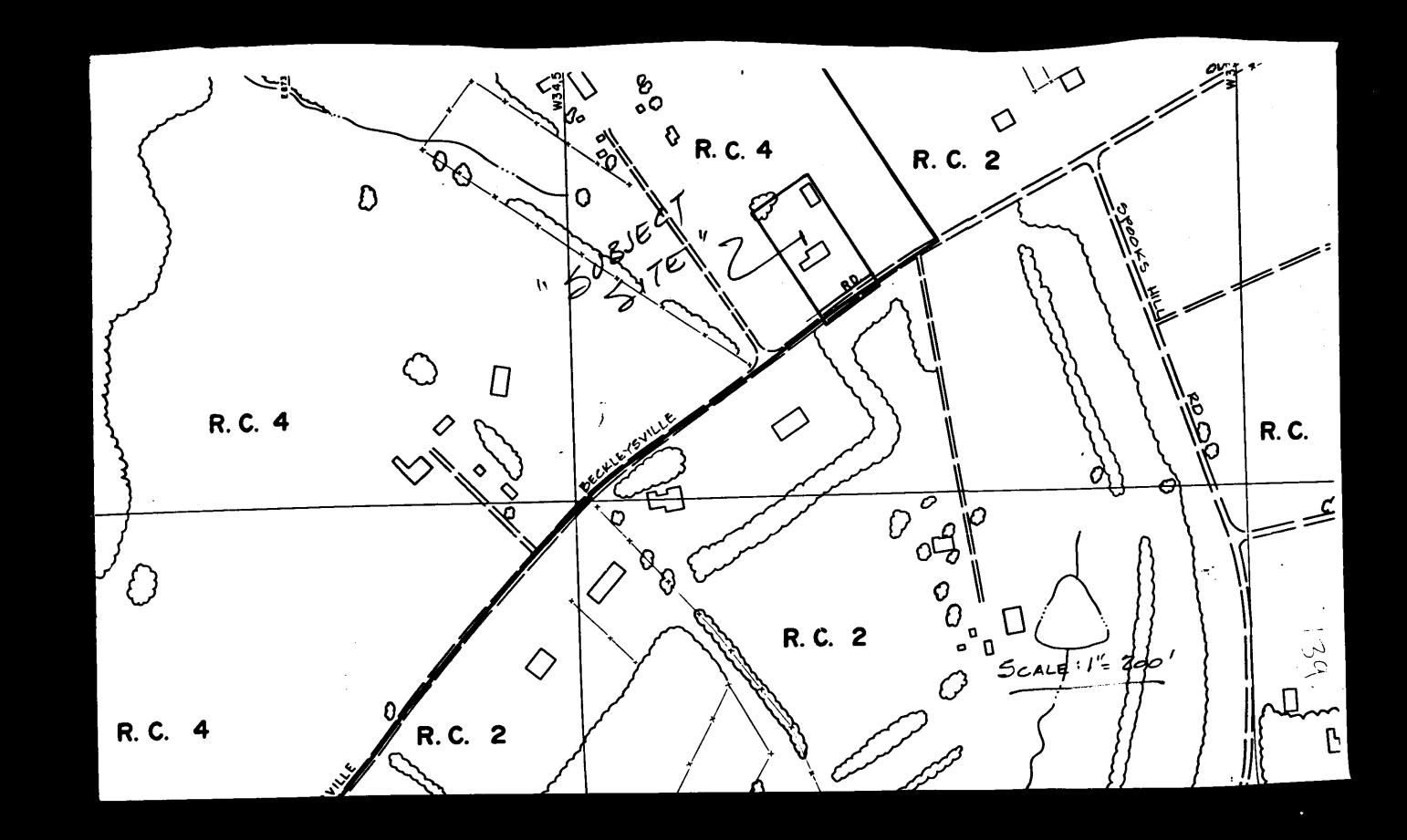
DEFICE OF PLANNING AND ZONING

Protestanto Ex #1

TRUE TEST COPY

7. Janin Villan





o/136 • Pet Ex #2

for the County aforecoid personally appeared Eattie E Govens widow the above named grantor and she acknowledged the foregoing deed to be her act

As Witness my hand and Notarial soul

( Notarial real ) Margiret M Wols Notary Pub

Recorded Dec 4 1931 at 2.30 P M & EAD for Louis Mol Merryma Clerk

This Deed Made this 5th day of November in the year nineteen hundred

Sobpia Haber and thirty one by Sophia Haber of Baltimore County in the State of

Maryland party of the first part Grantor to Alfred Whippomen and

Alfred Whipperman & wf Daicy J Whippomen his wife of the County and State aforesaid parties

of the second part Grantees

Witnesseth that in consideration of the sum of five dollars and other good and valuable considerations the receipt whereof is hereby acknowledged the said Sophia Huler does grant and convey unto Alfred Whipperman and Daisy J Whipperman his of the as temants by the entireties to the survivor of them their acatema and to the heirs and assigns of the survivor of them their acatema and to the heirs and assigns of the survivor of them their acatema and to the heirs and assigns of the survivor of them their acatema and to the heirs and assigns of the survivor of them their acatema and to the heirs and assigns of the survivor of them their acatema and to the heirs and assigns of the survivor of them their acatema and to the heirs and assigns of the survivor of them their acatema and to the heirs and assigns of the survivor of them.

Beginning for the first at a planted stone in the County Road leading from Middletown to Beckleysville at the end of the south thirty four degrees east twenty six perches line of the land which by deed dated on or about Murch 7th 1910 and recorded among the Land Records of Baltimore County in Liber W P C No 510 folio 69 etc was conveyed by Jame Hoffman end husband to Jacob C Parish and wife thence running with and binding on said line reversely the following courses and distances to wit north thirty one and one helf degrees west reversely bearing south thirty one and three fourths degrees east twenty six perches to a planted stons said line bounding on a County Road thense leaving said road north fifty seven and one half degrees east reversely bearing so the fifty deven degrees west fourteen and one half perches to a planted stone themse north thirty nine degrees west thirty seven and sixty five one hundredths perches to a point distant south thirty nine degrees east one perch from a stone planted in a clump of chestnut stumps shown on a boundary of said Parich and wife and the -land of William Oeligrath thence south forty neven and one fourth degrees west twenty four perches and thence north thirty one and one fourth degrees west one perch to intersect a line of the land of the said William Colimath thence leaving the outlines of the said Parish land and bounding on that of the said Oeligrath south forty seven and one fourth degrees west six and one tenth perchas to a planted stone a boundary of said land and supposed to be a boundary of the land which by deed dated on or about March 11th 1913 and recorded among the Land Records of Baltimore County in Liber W P C No 430 folio 220 etc was conveyed by Emma L Bollinger to Harry McCullough and wife thence running with and bounding on said last named deed as corrected south seven and one half degrees east reversely bearing north six and one half degrees west thirty seven and forty five one hundredths perches to a large planted stone thence leaving the outlines of soid McCullough tract of land running thence as formerly agreed upon the following courses and distances to wit south five and one quarter degrees west roversely bearing north four and three fourths degrees east four perches to a planted stons standing on or near the centre line of the Middletown and Beckleysville Road thence bounding on said Road north eighty three and one half degrees east reversely tearing south eighty four egrees west twenty one perches to a planted stone and thence still bounding on said County

1376/406 Pet Ex #3

Attest

James G Selfe
Chief Clerk and Auditor of the

County Commissioners of Baltimore County

State of Maryland Baltimore County to wit

I hereby certify that on this 27th day of December in the year nineteen hundred and forty four before me the subscriber a notary public of the State of Maryland in and for Baltimore County aforesaid personally appeared Christian H Kahl president of the Board of County Commissioners of Baltimore County and acknowledged the aforegoing deed to be the act and deed of the County Commissioners of Baltimore County a corporation and a body politic

As witness my hand and notarial seal

Notary Fublic

Approved as to form

Michael Faul Smith

(Notarial Seal)

Deed to

Counsel to the County

Commissioners of Baltimore County

Recorded Feb 3 1945 at 11:15 A M & exd per

Robert J Spittel

Examiners (J&P)

Lelia S Grason

Rec by H M D

74705
Alfred Whipperman & wf

: This deed made this 30th day of January in the : year one thousand nine hundred and forty five by

married party of the second part

Witnesseth that for and in consideration of the sum of five dollars and other good and valuable considerations this day paid receipt whereof is hereby acknowledged the said Alfred Chipperman and Daisy J Chipperman his wife do grant and convey unto the said E June Shock unmorried her heirs and assigns in fee simple all these two lots or parcels of ground situate lying and being in Baltimore County State of Maryland and described as follows to wit

Beginning for the first at a planted stone in the County Road leading from Middletown to Beckleysville at the end of the south 34 degrees east 26 perches line of the land which by deed dated on or about March 7th 1919 and recorded among the land records of Baltimore County in liber WFC No 510 folio 89 etc was conveyed by Jane Hoffman and husband to Jecob C Farish and wife thence running with and binding on said line reversely the following courses and distances to wit north 31½ degrees west reversely bearing south 31 3/4 degrees east 26 perches to a planted stone said line bounding on a County Road thence leaving said road north 57½ degrees east reversely bearing south 57 degrees west 14½ perches to a planted stone thence north 39 degrees west 37.65 perches to a point

Margaret M Weis

I her by certify that on this 30th day of January 1945 before me the subscriber a notary public of the State of Maryland in and for the County aforesaid personally appeared Alfred Whipperman and Daisy J Whipperman his wife the within grantors and they acknowledged the aforegoing deed to be their act

As witness my hand and notarial seal

Recorded Feb 3 1945 at 11:15 A M & exd per

Robert J Spittel

Notary Public

Examiners (J&P)

Alfred Whipperman

: This deed made this 30th day of January in the year : one thousand nine hundred and forty five by and between : E June Shock unmarried of Baltimore County State of

----: Maryland party of the first part and Alfred Whipperman

"itnesseth that for and in consideration of the sum of five dollars and other good and valuable considerations this day paid receipt whereof is hereby acknowledged the said E June Shock unmarried does grant and convey unto the said Alfred Whipperman his heirs and assigns in fee simple all those two lots or parcels of ground situate lying and being in Baltimore County State of Maryland and described as follows to wit

Beginning for the first at a planted stone in the County Road leading from Middletown to Beckleysville at the end of the south 34 degrees east 26 perches line of the land which by deed dated on or about March 7th 1919 and recorded among the land records of Baltimore County in liber WFC No 510 folio 89 etc was conveyed by Jane Hoffman and husband to Jacob C Farish and wife thence running with and binding on said line reversely the following courses and distances to wit north 313 degrees west reversely bearing south 31 3/4 degrees east 26 perches to a planted stone said line bounding on a County Road thence leaving said road north 57% degrees east reversely bearing south 57 degrees west 14% perches to a planted stone thence north 39 degrees west 37.65 perches to a point distant south 39 degrees east 1 perch from a stone planted in a clump of chestnut stumps shown as a boundary of said larish and wife and the land of William Celigrath thence south 472 degrees west 24 perches and thence north 31% degrees west 1 perch to intersect a line of the land of the said William Osligrath thence leaving the outlines of the said Parish land and bounding on that of the said Oeligrath south 47% degrees west 6.1 perches to a planted stone a boundary of said land and supposed to be a boundary of the land which by deed dated on or about March 11th 1913 and recorded among the land records of Baltimore County in liber WPC No 430 folio 220 etc was conveyed by Emma L Bollinger to Harry McCullough and wife thence running with and bounding on said last named deed as corrected south 72 degrees east reversely bearing north  $6\frac{1}{2}$  degrees west 37.45 perches to a large planted stone thence leaving the outlines of said McCullough tract of land running thence as formerly agreed upon the following courses and distances to wit south 5% degrees west reversely bearing north 4 3/4 degrees east 4 perches to a planted stone standing on or near the center line

LIBER5354 PAGE620

This Deed, Made this 27th day of April AD 1973, by and between Marshall Whipperman and Mildred S. Whipperman, his wife, Father and Mother, of Paltimore County in the State Of Maryland, of the first part, grantors, and Joseph W. Blevins and Brends L. Blevins , his wife, Son-in-law and Daughter, of Baltimore County in the State Of haryland, of the second part, grantees.

Witnesseth that in consideration of the sum of Five Dollars (\$5.00) and other good and valuable considerations, the receipt of which is hereby acknowledged the said Warshall Whipperman and mildred S. Whipperman, his wife, do grant and convey unto the said Joseph W. Blevins and Brenda L. Blevins, his wife, as tenants by the entireties, their hoirs, personal representatives and assigns, in fee simple, all that lot of ground, situate, lying and being in the Sixth Election District of Baltimore County, State of Maryland, and described as follows, that is to say:-

Beginning for the same at a point 12 feet Southeast of the centerline of the present road-bed of Beckleysville Road at the end of 152.55 feet in the South 68-1/2 degrees West 29.8 merches line as described in a Deed from Goldie Thionerman, widow, to Marshall Whipperman and Hildred S. Whipperman, his mife, dated Angust 12, 1963, recorded among the Land Records of Belticore County in Liber R.R.G.No. 4185 folio 298 etc., said beginning point also being South 20 degrees 29 minutes East 31.95 feet from a pipe, running thence binding on the above mentioned Deed and running in Beckleysville Road as now surveyed by magnetic bearings. South 69 degrees 47 Minutes West 150.00 feet to a point 7 feet Southeast of the center, thence by a line of division and passing over a pine at the end of 26.89 feet, North 20 degrees 29 minutes West 296.91 feet to a pipe, thence by two other lines of division as now surveyed. North 67 degrees 51 minutes East 150.06 feet to a pipe and South 20 degrees 29 minutes East 301.97 feet to the place of beginning.containing one acre and thirty-one thousandths of an acre (1.031) of land more or less. As survyed January 8, 1973 by C.A. Lyers, State Register red Surveyor No. 2783.

Being a part only of the same land described in the above mentioned Deed from Goldie Whipperman, widow, to Marshall whipperman and mildred S. Whipperman, his wife, dated August 12,1963, recorded among the Land Records of Baltimore County in Liber R.R. G.No. 4185 folio 298 eto.

Together with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or anywise appertaining.

To Have And To Hold the said lot or parcel of ground

Pet Ex #7

Affidavit

I Edgar Paul Nealcan verify with the best of my memory that Alfred Whipperman did do commercial trucking and repairs to farm machinery and autos from his farm now known as 2618 Beckleysville Rd, Freeland, Maryland. Prior to the year of 1945. Which was a portion of the orginal farm dating back to 1918. As to the best of my knowledge.

Signature Edgar Paul Med Date Mar 22, 1991

Address 1607 Freday Rd, Freday, Med

Age 74

Signed & Sealed before me ar March

Signed & Sealed before me ar March

Mysall Saw Schoff

Commission Sprice - 9.1-94

Commission Sprice - 9.1-94

Battemore County

Battemore County

RX. TRAILER

T= 0

JUNE CINE

- KC-4" ZONING CINE

3.00:62:085 ...

18.6.7"

